

**CITY OF CEDARBURG
COMMON COUNCIL
April 11, 2022**

**CC20220411-1
UNAPPROVED**

A regular meeting of the Common Council of the City of Cedarburg, Wisconsin, was held on Monday, April 11, 2022 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers and online utilizing the Zoom app.

Mayor O’Keefe called the meeting to order at 7:00 p.m.

Roll Call: Present - Mayor Michael O’Keefe, Council Members Sherry Bublitz, Jack Arnett, Kristin Burkart, Rick Verhaalen, Patricia Thome, Barbara Lythjohan

Excused - Council Member Robert Simpson

Also Present - City Administrator Mikko Hilvo, City Attorney Michael Herbrand, Deputy City Clerk Amy Kletzien, Director of Engineering and Public Works Mike Wieser, City Planner Jon Censky, interested citizens and news media

STATEMENT OF PUBLIC NOTICE

At Mayor O’Keefe’s request, Deputy City Clerk Kletzien verified that notice of this meeting was provided to the public by forwarding the agenda to the City’s official newspaper, the *News Graphic*, to all news media and citizens who requested copies, and by posting in accordance with the Wisconsin Open Meetings Law. Citizen’s present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

APPROVAL OF MINUTES

Motion made by Council Member Thome, seconded by Council Member Burkart, to approve the February 14, 2022 Joint Community Development Authority & Common Council minutes and the March 28, 2022 Common Council minutes. Motion carried without a negative vote.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION ON PROCLAMATION RECOGNIZING EDUCATION AND SHARING DAY

This Proclamation was presented to recognize that a quality education is one of the significant foundations for the continuing success of our Community, State and Country and to advocate for an equitable and value-based education for all.

Motion made by Council Member Thome, seconded by Council Member Burkart, to adopt a Proclamation recognizing Education and Sharing Day. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON ARBOR DAY PROCLAMATION

This Proclamation was presented to recognize the first observation of Arbor Day in 1872 with the planting of more than a million trees in Nebraska, to recognize their benefits, and to plant trees to gladden the heart and promote the well-being of this and future generations.

Motion made by Council Member Burkart, seconded by Council Member Thome, to adopt a Proclamation for Arbor Day. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2022-10 ANNEXING 41.03 ACRES AT 6660 SUSAN LANE IN THE TOWN OF CEDARBURG TO THE CITY OF CEDARBURG

Planner Censky reminded the Council that they provided positive feedback to the applicant last September and November for this side-by-side residential project and that feedback was echoed by the Plan Commission, as well. The applicant then used the feedback as the basis for pursuing annexation. To gain further support for the project, the applicant removed two buildings at the north end of the wooded area and shifted the road away from the northwest corner to better protect those woods. The project now consists of 35 side-by-side ranch style building (70 units), down from their original proposal of 37 buildings (74 units). It is now proposed at a density of 1.75 units per gross acre, 2.0 units per net acre, exclusive of the quarry.

Planner Censky continued that tonight's request is to approve annexing the property into the City. Section 13-1-40(f), City Zoning Code, requires that newly annexed areas be placed in the RS-1 Single-Family Zoning District until an ordinance is created for permanent zoning. Ultimately, the applicant will return to pursue rezoning the property to the Rd-1 Two-Family District with the Planned Unit Development PUD overlay District. The applicant was before the Plan Commission and Common Council several times, and the Plan Commission recommended approval by unanimous vote on March 7, 2022.

Motion made by Council Member Arnett, seconded by Council Member Thome, to adopt Ordinance No. 2022-10 annexing 41.03 acres at 6660 Susan Lane in the town of Cedarburg to the City of Cedarburg. Motion carried on a roll call vote with Council Members Burkart, Verhaalen, Thome, Lythjohan, Bublitz, and Arnett voting aye and Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2022-11 AUTHORIZING STAFF TO APPLY FOR A DEPARTMENT OF NATURAL RESOURCES RUNOFF MANAGEMENT GRANT

Director of Engineering and Public Works Wieser explained that part of the application process to receive an Urban Non-Point Source and Stormwater Management Construction Grant; the DNR requires passage of a resolution to appoint the authorized representative for filing applications. AECOM is assisting staff with the grant application. The grant would be used to modify the Willowbrooke Pond to provide more efficient water quality treatment.

Motion made by Council Member Burkart, seconded by Council Member Thome, to adopt Resolution No. 2022-11 authorizing staff to apply for a Department of Natural Resources Runoff Management grant. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON APPROVAL FOR A CERTIFIED SURVEY MAP FOR A MINOR ADJUSTMENT TO OUTLOT 9 OF THE GLEN AT CEDAR CREEK SUBDIVISION

Planner Censky explained that the applicant is requesting approval of his Certified Survey Map, which will serve to adjust the limits of outlot 9 in the Glen at Cedar Creek subdivision by removing the narrow strip of the outlot located between Lots 51 and 52. The purpose of the narrow portion of the outlot was for the private use by homeowners within this subdivision for pedestrian access; however, a pathway was never installed to field verify its location and discourage trespassing onto adjacent properties. Since there is another access point to outlot 9, this narrow access is unnecessary. Accordingly, with the recording of the CSM, the ownership of that narrow strip of land will be transferred to the adjacent Lots 51 and 52 on an equal basis. This was unanimously recommended by the Plan Commission on April 4, 2022.

Motion made by Council Member Thome, seconded by Council Member Arnett, to approve a Certified Survey Map for a minor adjustment to Outlot 9 of the Glen at Cedar Creek Subdivision. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON AWARD OF CONTRACT FOR THE CEDARBURG LEAD SERVICE REPLACEMENT PROGRAM

Director of Engineering and Public Works Director Wieser explained that the City was awarded \$600,000 in Safe Drinking Water Loan Program funds through the DNR. Cedarburg Light & Water along with RA Smith advertised and received bids for the Cedarburg Lead Service Replacement Program. This contract entails the replacement of 118 lead water services from the right-of-way to the house and focuses on the northeast quadrant of the City (Bridge Road, Highwood Drive, Riveredge Drive, Jefferson Avenue and Mequon Avenue). Six bids were received with the low bid being submitted by MRJ, Inc. Cedarburg Light & Water verified that MRJ has done this work in the past and can successfully complete a project of this size. MRJ's bid of \$505,862.50 was below the Engineer's estimate and is within budget. Cedarburg Light & Water would like authorization to add an additional 20 lead service replacements (location to be determined) to fully utilize the \$600,000 awarded by the DNR.

Motion made by Council Member Burkart, seconded by Council Member Thome, to award the contract for the Cedarburg Lead Service Replacement program to MRJ, Inc. along with the authorization to add 20 additional lead service replacements in an amount not to exceed \$600,000. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF ANNA MARIE ARMBRUSTER TO ECONOMIC DEVELOPMENT BOARD

Motion made by Council Member Thome, seconded by Council Member Burkart, to approve appointment of Anna Marie Armbruster to the Economic Development Board. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF KAYLA STOFFLETT TO DIVERSITY COMMITTEE

Motion made by Council Member Bublitz, seconded by Council Member Burkart, to appoint Kayla Stofflett to the Diversity Committee. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF CONNIE KINCAIDE AS DIVERSITY COMMITTEE ALTERNATE

Motion made by Council Member Bublitz, seconded by Council Member Thome, to appoint Connie Kincaide as an alternate on the Diversity Committee. Motion carried without a negative vote with Council Member Simpson excused.

DISCUSSION AND POSSIBLE ACTION ON LICENSE/PERMIT APPLICATIONS

Motion made by Council Member Verhaalen, seconded by Council Member Burkart, to approve new Operator License application for the period ending June 30, 2022 for Mark A. May. Motion carried without a negative vote with Council Member Simpson excused.

Motion made by Council Member Burkart, seconded by Council Member Bublitz, to approve granting of Temporary Class “B” licenses to Cedarburg Fireman’s Park, Inc. for Maxwell Street Days, Firemen’s Park, W65 N796 Washington Avenue for May 29, July 10, September 4, and October 2, 2022 from 6:00 a.m. to 10:00 p.m. Motion carried without a negative vote with Council Member Simpson excused.

CONSIDER PAYMENT OF BILLS DATED 03/25/2022 THROUGH 04/01/2022, TRANSFERS FOR THE PERIOD 03/26/2022 THROUGH 04/08/2022 AND PAYROLL FOR PERIOD 03/20/2022 THROUGH 04/02/2022; AND ACTION THEREON

Motion made by Council Member Verhaalen, seconded by Council Member Arnett, to approve payment of bills dated 03/25/2022 through 04/01/2022, transfers for the period 03/26/2022 through 04/08/2022 and payroll for period 03/20/2022 through 04/02/2022. Motion carried without a negative vote with Council Member Simpson excused.

CITY ADMINISTRATOR’S REPORT – No additional information was provided.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

COMMENTS AND ANNOUNCEMENTS BY COUNCIL MEMBERS

Council Member Burkart announced that she is holding a listening session on TID #7 at the Library on Wednesday, April 13 at 6:30 p.m.

MAYOR REPORT - None

ADJOURNMENT

Motion made by Council Member Arnett, seconded by Council Member Burkart, to adjourn the meeting at 7:22 p.m. Motion carried without a negative vote with Council Member Simpson excused.

Amy D. Kletzien, MMC/WCPC
Deputy City Clerk